

Jeffrey M. Edelson, OSB # 880407
JeffEdelson@MarkowitzHerbold.com
Nathan D. Burcham, OSB #182509
NathanBurcham@MarkowitzHerbold.com
MARKOWITZ HERBOLD PC
1455 SW Broadway, Suite 1900
Portland, OR 97201
Tel: (503) 295-3085
Fax: (503) 323-9105

Kelly K. Simon, OSB # 154213
ksimon@aclu-or.org
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF OREGON
PO Box 40585
Portland, OR 97240
Tel: (503) 227-6928

Nicholas S. Cady, OSB # 113463
nick@cascwild.org
CASCADIA WILDLANDS
PO Box 10455
Eugene, OR 97440
Tel: (541) 434-1463
Fax: (541) 434-6494

Elisabeth Holmes, OSB # 120254
eli@willametteriverkeeper.org
WILLAMETTE RIVERKEEPER
PO Box 293
Eugene, OR 97440
Tel: (541) 870-7722

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

NORTHWEST CENTER FOR
ALTERNATIVES TO PESTICIDES,
WILLAMETTE RIVERKEEPER,
CASCADIA WILDLANDS, NEIGHBORS
FOR CLEAN AIR, AND 350PDX,

Plaintiffs,

vs.

U.S. DEPARTMENT OF HOMELAND
SECURITY; CHAD WOLF, in his capacity
as Acting Secretary, U.S. Department of
Homeland Security,

Defendants.

No. 3:20-cv-01816

**STANDING DECLARATION OF
JAMIE PANG-SOUTH**

I, Jamie Pang-South, declare as follows:

1. I submit this declaration in support of the Plaintiffs' Complaint under the National Environmental Policy Act ("NEPA").

2. I have personal knowledge of the facts and statements contained herein and, if called as a witness, could and would competently testify thereto.

3. I have been a supporter, volunteer, and board member of 350PDX since August 2019. In my capacity, I am in the Governance Committee which oversees the operations of 350PDX, the Board Recruitment Committee, and I have overseen or otherwise been involved in the board and organization's general support work.

4. As an environmental activist, I have participated in dozens of marches and protests over the years, including climate marches as of March, prior to the COVID-19 shutdowns.

5. I live in Clackamas County, Oregon.

6. 350PDX nonprofit whose primary mission is to build a diverse grassroots movement to address the causes of climate change through justice-based solutions by inspiring, training and mobilizing people to act. We have over 8000 members and supporters throughout the Portland metro region, and over 200 active volunteers who participate in trainings, protests, marches, public hearings, and other forms of civic engagement.

7. 350PDX is a grassroots, volunteer lead organization that works at the intersection of climate justice, environmental justice, and racial justice in support of diverse frontline communities most disproportionately impacted by climate change and fossil fuel development. We are currently running six campaigns including a Fossil Fuel Resistance Campaign and Chase Bank Divest (from fossil fuels) Campaign which uses direct action and protesting as a key tactic, and a Justice, Diversity, Equity, and Inclusion Campaign ("JEDI").

8. In 2019-20 the 350PDX JEDI Committee, a special committee made up of board members, staff, and volunteers, specifically worked with an external consultant to develop our JEDI plan for the next three years. Our plan to root out white supremacy within the environmental and climate movement, and create a welcoming, accessible and diverse

organization for all. 350PDX is dedicated to this work, and investing organizational resources including money, staff time behind it.

9. As a volunteer-led organization, 350PDX has multiple volunteer teams which specialize in different things. Specifically, we have a County/City Watchdog team which formed in August 2019 to dedicate to watchdogging our local climate policies which helps support our various campaigns with direct action and civic engagement.

10. In July 2020, we formed the Solidarity Team, whose primary purpose is to work at the intersections of racial, social, economic, and environmental justice and to mobilize members of the climate movement to take action with others in support of racial justice, indigenous sovereignty, immigrant justice, and global solidarity. Among other things, the Solidarity Team supports our volunteers in attending and aiding Black Lives Matter protests and events. We recognize that we cannot fight the disproportionate climate change impacts on poorer communities of color until systemic racism, which has prevented these communities from climate resiliency, is addressed.

11. Throughout the late spring and summer, in the wake of George Floyd's death, 350PDX staff, activists and volunteers participated in multiple protests supporting Black Lives Matter in downtown Portland. Participating and encouraging our volunteers and activists to protest is part of the work involved with our JEDI plan to root out white supremacy.

12. Direct action, protesting, and being able to lawfully engage in democratic demonstrations and First Amendment rights is a core component of 350 PDX's work.

13. I believe that the federal government's continued and repeated use of tear gas and other aerosols, and the lack of information and analysis surrounding its health effects harms the health of 350 PDX members, activists and volunteers, and negatively impacts their ability to participate in their First Amendment right to protest. I also believe this negatively impacts our democracy which allows for such civic engagement.

14. If the federal government completes a NEPA analysis of the use of tear gas and other crowd control weapons on human health and the environment, I believe they may make better, more informed choices about their use of such weapons-- perhaps choices that would

protect the health and safety of the general public. It is my hope that an analysis would discourage them from deploying these harmful chemicals.

15. 350PDX has definite plans to continue to exercise our first amendment rights and engage in protests for social justice in Portland.

16. 350PDX has dedicated organization time and resources to this matter, and will continue to do so, including retaining counsel to represent its interests in this litigation.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 14th day of October, 2020.

A handwritten signature in black ink, appearing to read 'JP South', with a stylized, cursive script.

Jamie Pang South